

Attorney's Docket No. 10733-215A

PATENT

COMBINED DECLARATION AND POWER OF ATTORNEY  
(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,  
DIVISIONAL, CONTINUATION OR C-I-P)

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type: (check one applicable item below)

- ☒ original
- ☐ design
- ☐ supplemental
- ☐ national stage of PCT
- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part (C-I-P)

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

NON-VIBRATING CAPACITANCE PROBE FOR WEAR MONITORING

**SPECIFICATION IDENTIFICATION**

the specification of which:

- (a) ☐ is attached hereto.
- (b) ☐ was filed on \_\_\_\_\_ as ☐ Serial No. 0 /  
or ☐ Express Mail No., as Serial No. not yet known  
and was amended on \_\_\_\_\_ (if applicable).
- (c) ☐ was described and claimed in PCT International Application No. \_\_\_\_\_  
filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if  
any).

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information

- ☒ which is material to patentability as defined in 37 CFR, § 1.56

(Declaration and Power of Attorney - page 1 of 4)

- ☒ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent.
- ☐ In compliance with this duty there is attached an Information Disclosure Statement in accordance with 37 CFR 1.98.

### PRIORITY CLAIM (35 U.S.C. § 119)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

- (d) ☒ no such applications have been filed
- (e) ☐ such applications have been filed as follows.

### A. PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

### ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

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### POWER OF ATTORNEY

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number):

DEVEAU, Todd -- Registration No. 29,526  
 COLTON, Laurence P. -- Registration No. 33,371  
 MARQUIS, Harold L. -- Registration No. 20,594  
 SOUTHALL, Kenneth -- Registration No. 38,315  
 GROFF, Bradley K. -- Registration No. 39,695

(Declaration and Power of Attorney - page 2 of 4)

- ☐ Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

**SEND CORRESPONDENCE TO**

Laurence P. Colton  
DEVEAU, COLTON & MARQUIS  
Two Midtown Plaza, Suite 1400  
1360 Peachtree Street, N.E.  
Atlanta, Georgia 30309-3209

**DIRECT TELEPHONE CALLS TO**  
(Name and Telephone Number)

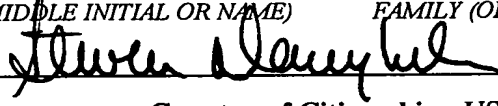
Laurence P. Colton  
(404) 875-3555

**DECLARATION**

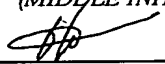
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

**Full name of sole or first inventor**

Steven Danyluk  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)  
Inventor's Signature   
Date 11/19/97 Country of Citizenship US  
Residence 3535 Grove Gate Lane, Atlanta, Georgia 30339  
Post Office Address 3535 Grove Gate Lane, Atlanta, Georgia 30339

**Full name of second joint inventor, if any**

Anatoly L. Zharin  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)  
Inventor's Signature  (A. Zharin)  
Date \_\_\_\_\_ Country of Citizenship Belarus  
Residence Byelorussian PM Association, Platonova Str. 12, Minsk, Belarus 220600  
Post Office Address Byelorussian PM Association, Platonova Str. 12, Minsk, Belarus 220600

(Declaration and Power of Attorney - page 3 of 4)

Full name of third joint inventor, if any

Elmer Zanoria  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)

Inventor's Signature Elmer Zanoria

Date 01/08/98 Country of Citizenship Philippines E.8.

Residence 301 Briarcliff Avenue, Apartment N-2, Oak Ridge, Tennessee 37830

Post Office Address 301 Briarcliff Avenue, Apartment N-2, Oak Ridge, Tennessee 37830

CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH  
FORM A PART OF THIS DECLARATION

☒ Signature for fourth and subsequent joint inventors. Number of pages added 1

\*\*\*

☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added \_\_\_\_\_

\*\*\*

☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_

\*\*\*

☐ Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time (37 CFR 1.47.).

\*\*\*

☐ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.

☐ Number of pages added \_\_\_\_\_

\*\*\*

☐ Authorization of attorney(s) to accept and follow instructions from representative.

\*\*\*

☐ This declaration ends with this page.

(Declaration and Power of Attorney - page 4 of 4)

Attorney's Docket No. 10733-215

**ADDED PAGE TO COMBINED DECLARATION AND POWER OF  
ATTORNEY FOR SIGNATURE BY FOURTH AND SUBSEQUENT INVENTORS**

Full name of fourth joint inventor, if any

Lennox Reid  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)

Inventor's Signature *Lennox Reid*

Date 2/2/98 Country of Citizenship US

Residence 2700 Woodland Park Drive, Apartment <sup>205</sup>204, Houston, Texas 77082

Post Office Address 2700 Woodland Park Drive, Apartment <sup>205</sup>204, Houston, Texas 77082

Full name of fifth joint inventor, if any

Kenneth M. Hamall  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)

Inventor's Signature *Kenneth M Hamall*

Date \_\_\_\_\_ Country of Citizenship US

Residence ~~119 Arbor Gate, Peachtree City, Georgia 30269~~ <sup>4320 DUCK CREEK ROAD, APT 4, CINCINNATI, OHIO 45227</sup>

Post Office Address ~~119 Arbor Gate, Peachtree City, Georgia 30269~~ <sup>4320 DUCK CREEK ROAD, APT 4, CINCINNATI, OHIO 45227</sup>

Full name of sixth joint inventor, if any

\_\_\_\_\_  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)

Inventor's Signature \_\_\_\_\_

Date \_\_\_\_\_ Country of Citizenship \_\_\_\_\_

Residence \_\_\_\_\_

Post Office Address \_\_\_\_\_

(Added Page to Combined Declaration and Power of Attorney for Signature by Fourth and Subsequent Inventors [1-2])

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FORM PTO-1595

**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

<b>1. Name of conveying party(ies):</b> Steven Danyluk                      Lennox Reid Anatoly Zharin                      Kenneth M. Hamall Elmer Zanolria Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	<b>2. Name and address of receiving party(ies):</b> Name: <u>Georgia Tech Research Corporation</u> Internal Address: _____ _____ Street Address: <u>400 Tenth Street</u> City <u>Atlanta</u> State <u>Georgia</u> Zip <u>30332</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>3. Nature of Conveyance:</b> <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>January 21, 1997</u>	

**4. Application number(s) or patent number(s):**

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_  
 A. Patent Application No.(s)                      B. Patent No.(s)  
60/030,814

Additional numbers attached? ☐ Yes                      ☒ No

<b>5. Name and address of party to whom correspondence concerning documents should be mailed:</b> Name: <u>Laurence P. Colton</u> Internal Address: <u>DEVEAU, COLTON &amp; MAROUI</u> <u>Two Midtown Plaza, Suite 1400</u> _____ Street Address: <u>1360 Peachtree Street, N.E.</u> _____ City: <u>Atlanta</u> State: <u>Georgia</u> Zip: <u>30309-3209</u>	<b>6. Total number of applications and patents involved:</b> <u>1</u> <b>7. Total fee (37 C.F.R. 3.41):</b> \$ <u>40.00</u> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account <b>8. Deposit account number:</b> <u>04-0925</u> (Attach duplicate copy of this page if paying by deposit account)
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**DO NOT USE THIS SPACE**

**9. Statement and Signature.**

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document*

Laurence P. Colton  
 Name of Person Signing

*Laurence P. Colton*  
 Signature

11 FEB 1997  
 Date

Total number of pages comprising cover sheet: \_\_\_\_\_

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

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Washington, D.C. 20231**

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011) Washington, D.C. 20503

**COPY**

**Attorney's Docket No. 10733-215**

**PATENT**

For: ☒ U.S. and/or ☒ Foreign Rights  
For: ☒ U.S. Application or ☐ U.S. Patent  
By: ☒ Inventor(s) or ☐ Present Owner

**ASSIGNMENT OF INVENTION**

In consideration of the payment by ASSIGNEES to ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

**ASSIGNORS:**

Steven Danyluk  
Anatoly Zharin  
Elmer Zanoria

Lennox Reid  
Kenneth M. Hamall

hereby sell, assign and transfer to

**ASSIGNEES:**

Georgia Tech Research Corporation  
400 10th Street  
Atlanta, Georgia 30332

and the successors, assigns and legal representatives of the ASSIGNEES the entire right, title and interest in and to any and all improvements which are disclosed in the invention entitled:

**NON-VIBRATING CAPACITANCE PROBE FOR WEAR MONITORING**

and which is found in the U.S. provisional patent application bearing that title and filed in the United States Patent and Trademark Office on or about November 14, 1996, and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by any non-provisional patent application later filed and based on or related to the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNORS further covenant that ASSIGNEES will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEES or their legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said

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application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, We have hereunto set hand and seal as of the dates indicated below:

Steven Danyluk  
Steven Danyluk

Date: Dec. 13, 1996

Anatoly Zharin  
Anatoly Zharin

Date: 12 Jan, 96

Elmer Zanoria  
Elmer Zanoria

Date: Jan. 21, 1997

Lennox Reid  
Lennox Reid

Date: Jan 16, 1997

Kenneth M. Hamall  
Kenneth M. Hamall

Date: Dec 13, 1996